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NGUYEN, KHAI MINH				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto-incoming@parklegal.com

Office Action Summary

Application No.

10/656,551

Applicant(s)

SMETTERS ET AL.

Examiner

KHAI M. NGUYEN

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4, 7, 10, 13, 16 and 19-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 7, 10, 13, 16 and 19-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/11/2009 has been entered.

Claims 1, 4, 7, 10, 13, 16, and 19-25 have been amended.

Claims 26-29 have been added.

Balfanz clearly discloses providing a security credential to a resident alert device (B) associated with a domicile (fig.3, [3.1] public key, and [3.2] A sends a commitment to his public key during pre-authentication);

Balfanz clearly discloses establishing communication between the resident alert device (B) and a provisioning device (A) over a preferred channel (fig.3, [3.2]), the resident alert device (B) configured to send the security credential to the provisioning device (A) over the preferred channel (fig.3, [3.2]) and to receive a commitment from the provisioning device over the preferred channel (fig.3, [3.2] A sends its public key across the wireless channel. B verifies it again the commitment, and then uses it to encrypt Sb and returns the result to A);

Balfanz clearly discloses receiving from the provisioning device (fig.5) over the preferred channel at least one of provisioning information (fig.5, [3.2] public key) or additional application-specific information, site-specific information, network-specific information, or other information that can be used by the resident alert device (fig.5-6, [3.2], [4.1] KM gives the appropriate multicast keys to every group member)..; and

Lowensohn clearly discloses automatically configuring the resident alert device (fig.1, barb badge 100) for receiving information over a secure communication channel responsive to the provisioning information (fig.1, and 4, [0009] provide secure communications between the computer-based system and the BARB Badge, a sensor subsystem conceived and designed to detect a presence of a BARB Badge in a vicinity of the BARB Base and to establish secure communications between the BARB Badge and the computer-based system, and a feedback subsystem to provide a user with feedback on operations of the user authentication and identification subsystem)

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4, 7, 10, 13, and 20-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balfanz et al. (Talking to Strangers: Authentication in Ad-Hoc

Wireless Networks), in view of Hermann, Reto (EP 1024626), and further in view of Lowensohn et al. (U.S.Pub-20040230809).

Regarding claim 1, Balfanz teaches a computer controlled method comprising:

providing a security credential to a resident alert device (B) associated with a domicile (fig.3, [3.1] public key, and [3.2] A sends a commitment to his public key during pre-authentication);

establishing communication between the resident alert device (B) and a provisioning device (A) over a preferred channel (fig.3, [3.2]), the resident alert device (B) configured to send the security credential to the provisioning device (A) over the preferred channel (fig.3, [3.2]) and to receive a commitment from the provisioning device over the preferred channel (fig.3, [3.2] A sends its public key across the wireless channel. B verifies it again the commitment, and then uses it to encrypt Sb and returns the result to A);

receiving from the provisioning device (fig.5) over the preferred channel at least one of provisioning information (fig.5, [3.2] public key) or additional application-specific information, site-specific information, network-specific information, or other information that can be used by the resident alert device (fig.5-6, [3.2], [4.1] KM gives the appropriate multicast keys to every group member)..; and

Balfanz fails to specifically disclose wherein the provisioning information includes a credential and wherein the credential facilitates the resident alert device to become a member of a secure credential infrastructure.

However, Hermann teaches wherein the provisioning information includes a credential (fig.1-2, [0020]-[0022]) and wherein the credential facilitates the resident alert device to become a member of a secure credential infrastructure (fig.1-2, [0020]-[0022]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Hermann to Balfanz to prevent any accidental information exchange.

Balfanz and Hermann fail to specifically disclose automatically configuring the resident alert device for receiving information over a secure communication channel responsive to the provisioning information.

However, Lowensohn teaches automatically configuring the resident alert device (fig.1, barb badge 100) for receiving information over a secure communication channel responsive to the provisioning information (fig.1, and 4, [0009]-[0010], [0059]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Lowensohn to Balfanz and Hermann to detect the user orientation in the environment and security the information of user.

Regarding claim 4, Balfanz, Hermann, and Lowensohn further teach the computer controlled method of claim 1,

Lowensohn further teaches transmitting information from the resident alert device over the secure communication channel (see Lowensohn, fig.1, [0009], [0271]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Lowensohn to Balfanz and Hermann to detect the user orientation in the environment and security the information of user.

Regarding claim 7, Balfanz teaches a computer-readable storage medium storing instructions that when executed by a computer cause the computer to perform a method comprising steps of:

providing a security credential to a resident alert device (B) associated with a domicile (fig.3, [3.1] public key, and [3.2] A sends a commitment to his public key during pre-authentication);

establishing communication between the resident alert device (B) and a provisioning device (A) over a preferred channel (fig.3, [3.2]), the resident alert device (B) configured to send the security credential to the provisioning device (A) over the preferred channel (fig.3, [3.2]) and to receive a commitment from the provisioning device over the preferred channel (fig.3, [3.2] A sends its public key across the wireless

channel. B verifies it again the commitment, and then uses it to encrypt Sb and returns the result to A);

receiving from the provisioning device (fig.5) over the preferred channel at least one of provisioning information (fig.5, [3.2] public key) or additional application-specific information, site-specific information, network-specific information, or other information that can be used by the resident alert device (fig.5-6, [3.2], [4.1] KM gives the appropriate multicast keys to every group member)..; and

Balfanz fails to specifically disclose wherein the provisioning information includes a credential and wherein the credential facilitates the resident alert device to become a member of a secure credential infrastructure.

However, Hermann teaches wherein the provisioning information includes a credential (fig.1-2, [0020-[0022]) and wherein the credential facilitates the resident alert device to become a member of a secure credential infrastructure (fig.1-2, [0020-[0022]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Hermann to Balfanz to prevent any accidental information exchange.

Balfanz and Hermann fail to specifically disclose automatically configuring the resident alert device for receiving information over a secure communication channel responsive to the provisioning information.

However, Lowensohn teaches automatically configuring the resident alert device (fig.1, barb badge 100) for receiving information over a secure communication channel responsive to the provisioning information (fig.1, and 4, [0009]-[0010], [0059]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Lowensohn to Balfanz and Hermann to detect the user orientation in the environment and security the information of user.

Regarding claim 10 is rejected same reasons with the set forth in claim 4.

Regarding claim 13, Balfanz teaches an apparatus comprising:

a mechanism configured to provide a security credential to a resident alert device (B) associated with a domicile (fig.3, [3.1] public key, and [3.2] A sends a commitment to his public key during pre-authentication);

at least one port configured to establish a preferred channel (fig.3, [3.2]);

a preferred channel communication mechanism configured to establish communication between the resident alert device (B) and a provisioning device (A) over a preferred channel (fig.3, [3.2]), the resident alert device (B) configured to send the security credential to the provisioning device (A) over the preferred channel (fig.3, [3.2]) and to receive a commitment from the provisioning device over the preferred channel (fig.3, [3.2] A sends its public key across the wireless channel. B verifies it again the commitment, and then uses it to encrypt Sb and returns the result to A);

receiver mechanism configured to receive from the provisioning device (fig.5) over the preferred channel at least one of provisioning information (fig.5, [3.2] public key) or additional application-specific information, site-specific information, network-specific information, or other information that can be used by the resident alert device (fig.5-6, [3.2], [4.1] KM gives the appropriate multicast keys to every group member).; and

Balfanz fails to specifically disclose wherein the provisioning information includes a credential and wherein the credential facilitates the resident alert device to become a member of a secure credential infrastructure.

However, Hermann teaches wherein the provisioning information includes a credential (fig.1-2, [0020-[0022]) and wherein the credential facilitates the resident alert device to become a member of a secure credential infrastructure (fig.1-2, [0020-[0022]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Hermann to Balfanz to prevent any accidental information exchange.

Balfanz and Hermann fail to specifically disclose an automatic configuration mechanism to enable the resident alert device to receive information over a secure communication channel responsive to the provisioning information.

However, Lowensohn teaches an automatic configuration mechanism to enable the resident alert device (fig.1, barb badge 100) to receive information over a secure

communication channel responsive to the provisioning information (fig.1, and 4, [0009]-[0010], [0059]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Lowensohn to Balfanz and Hermann to detect the user orientation in the environment and security the information of user.

Regarding claim 16 is rejected same reasons with the set forth in claim 4.

Regarding claim 20, Balfanz, Hermann, and Lowensohn further teach the computer controlled method of claim 1, wherein the preferred channel ([2.1]) comprises a single location-limited channel capable of communicating both from the wireless sensor (B) to the provisioning device (A) and from the provisioning device (A) to the wireless sensor (B) ([2.1] identification based on physical context (the printer in front of me, all the PDA's in the room, etc.)).

Regarding claim 21, Balfanz, Hermann, and Lowensohn further teach the computer controlled method of claim 1, wherein the preferred channel ([02.1]) comprises two separate channels ([2.1] location-limited channels), including a first location-limited channel capable of communicating from the wireless sensor (B) to the provisioning device (A) and a second location-limited channel capable of communicating from the provisioning device (A) to the wireless sensor (B) ([2.1] for example, Anderson and Stajano use secret data).

Regarding claim 22 is rejected same reasons with the set forth in claim 20.

Regarding claim 23 is rejected same reasons with the set forth in claim 21.

Regarding claim 24 is rejected same reasons with the set forth in claim 20.

Regarding claim 25 is rejected same reasons with the set forth in claim 21.

4. Claims 19 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Balfanz et al. (Talking to Strangers: Authentication in Ad-Hoc Wireless Networks), in view of Hermann, Reto (EP 1024626), in view of Lowensohn et al. (U.S.Pub-20040230809), and further in view of Prior Art.

Regarding claim 19, Balfanz, Hermann, and Lowensohn further teach the apparatus of claim 13,

Balfanz, Hermann, and Lowensohn fail to specifically disclose wherein the information received by the resident alert device is information from an emergency operation center.

However, Prior Art teaches wherein the information received by the resident alert device is information from an emergency operation center ([0023]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Prior Art to Balfanz, Hermann, and Lowensohn to provide a simpler way and security to user.

Regarding claim 26, Balfanz, Hermann, and Lowensohn further teach the computer controlled method of claim 1,

Balfanz, Hermann, and Lowensohn fail to specifically disclose receiving the at least one of the provisioning information or additional application-specific information from the provisioning device over at least one off a telephone network, or the Internet.

However, Prior Art teaches receiving the at least one of the provisioning information or additional application-specific information from the provisioning device over at least one off a telephone network, or the Internet ([0022]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Prior Art to Balfanz, Hermann, and Lowensohn to provide a simpler way and security to user.

Regarding claim 27 is rejected same reasons with the set forth in claim 19.

Regarding claims 28 and 29, Balfanz, Hermann, and Lowensohn further teach the computer controlled method of claim 1,

Balfanz, Hermann, and Lowensohn fail to specifically disclose receiving information from at least one of: emergency radio station, television station, cellular phone system, wired telephone system, or the Internet; and identifying an intended resident alert device at an emergency operation center, and transmitting information from the emergency operation center to the intended resident alert device.

However, Prior Art teaches receiving information from at least one of: emergency radio station, television station, cellular phone system, wired telephone system, or the Internet ([0022]-[0023]); and identifying an intended resident alert device at an emergency operation center, and transmitting information from the emergency operation center to the intended resident alert device ([0022]-[0023]).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Prior Art to Balfanz, Hermann, and Lowensohn to provide a simpler way and security to user.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/
Examiner, Art Unit 2617

9/9/2009